

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A method of formulating a power transmitting fluid having enhanced wear protection performance comprising the steps of:
  - providing a major amount of base oil;
  - providing a minor amount of an additive composition comprising a) a dispersant, b) an antioxidant, c) an anti-foam agent, wherein the anti-foam agent comprises about 0.01 to about 1.0 wt.% of the power transmitting fluid, and d) a [[dihydrocarbyl]] dioleyl hydrogen phosphite;
  - combining the major amount of base oil with the minor amount of additive composition to form a power transmitting fluid;
  - wherein the power transmitting fluid has enhanced wear protection performance compared to a power transmitting fluid that does not include the additive composition.
2. (Original) A method of formulating a power transmitting fluid as described in claim 1, wherein the dispersant comprises about 0.1 to about 10 wt.% of the power transmitting fluid.
3. (Original) A method of formulating a power transmitting fluid as described in claim 1, wherein the antioxidant comprises about 0.1 to about 3.0 wt.% of the power transmitting fluid.
4. (Cancelled)

5. (Currently Amended) A method of formulating a power transmitting fluid as described in claim 1, wherein the ~~[[dihydrocarbyl]]~~ dioleyl hydrogen phosphite comprises about 0.01 to about 10 wt.% of the power transmitting fluid.

6. (Original) A method of formulating a power transmitting fluid as described in claim 1, wherein the additive composition further comprises one or more of a sulfur-based extreme pressure additive, a friction modifier, an anti-rust package, a viscosity index improver, a detergent, and a diluent oil.

7. (Cancelled)

8. (Cancelled)

9. (Original) A method of formulating a power transmitting fluid as described in claim 1, further wherein the power transmitting fluid has enhanced anti-shudder durability compared to a power transmitting fluid that does not include the additive composition.

10. (Original) A method of formulating a power transmitting fluid as described in claim 1, wherein the fluid is suitable for use in a transmission employing one or more of a slipping torque converter, a lock-up torque converter, a starting clutch, and one or more shifting clutches.

11. (Currently Amended) A method of formulating a power transmitting fluid as described in claim 10, wherein the fluid is suitable for use in a belt, chain, or disk~~[[type]]~~ continuously variable transmission.

12. (Currently Amended) A method of formulating a power transmitting fluid having enhanced anti-shudder durability comprising the steps of:

providing a major amount of base oil;

providing a minor amount of an additive composition comprising a) a dispersant, b) an antioxidant, c) an anti-foam agent, wherein the anti-foam agent comprises about 0.01 to about 1.0 wt.% of the power transmitting fluid, and d) a ~~[[dihydrocarbyl]]~~ dioleyl hydrogen phosphite;

combining the major amount of base oil with the minor amount of additive composition to form a power transmitting fluid;

wherein the power transmitting fluid has enhanced anti-shudder durability compared to a power transmitting fluid that does not include the additive composition.

13. (Original) A method of formulating a power transmitting fluid as described in claim 12, wherein the dispersant comprises about 0.1 to about 10 wt.% of the power transmitting fluid.

14. (Original) A method of formulating a power transmitting fluid as described in claim 12, wherein the antioxidant comprises about 0.1 to about 3.0 wt.% of the power transmitting fluid.

15. (Cancelled)

16. (Currently Amended) A method of formulating a power transmitting fluid as described in claim 12, wherein the ~~[[dihydrocarbyl]]~~ dioleyl hydrogen phosphite comprises about 0.01 to about 10 wt.% of the power transmitting fluid

17. (Original) A method of formulating a power transmitting fluid as described in claim 12, wherein the additive composition further comprises one or more of a sulfur-based extreme pressure additive, a friction modifier, an anti-rust package, a viscosity index improver, a detergent, and a diluent oil.

18. (Cancelled)

19. (Cancelled)

20. (Original) A method of formulating a power transmitting fluid as described in claim 12, wherein the fluid is suitable for use in a transmission employing one or more of a slipping torque converter, a lock-up torque converter, a starting clutch, and one or more shifting clutches.

21. (Currently Amended) A method of formulating a power transmitting fluid as described in claim 20, wherein the fluid is suitable for use in a belt, chain, or disk~~[-type]]~~ continuously variable transmission.

22. (Currently Amended) A power transmitting fluid additive composition comprising:

a dispersant;

an antioxidant;

an anti-foam agent, wherein the anti-foam agent comprises about 0.04 to about 4.0 wt.% of the power transmitting fluid; and

a ~~[[dihydrocarbyl]]~~ dioleyl hydrogen phosphite.

23. (Original) A power transmitting fluid additive composition as described in claim 22, wherein the dispersant comprises about 0.4 to about 40 wt.% of the additive composition.

24. (Original) A power transmitting fluid additive composition as described in claim 22, wherein the antioxidant comprises about 0.4 to about 12 wt.% of the additive composition.

25. (Cancelled)

26. (Currently Amended) A power transmitting fluid additive composition as described in claim 22, wherein the ~~[[dihydrocarbyl]]~~ dioleyl hydrogen phosphite comprises about 0.04 to about 40 wt.% of the additive composition.

27. (Original) A power transmitting fluid additive composition as described in claim 22, wherein the additive composition further comprises one or more of a sulfur-based extreme pressure additive, a friction modifier, an anti-rust package, a viscosity index improver, a detergent, and a diluent oil.

28. (Cancelled)

29. (Cancelled)

30. (Original) A power transmitting fluid additive composition as described in claim 22, wherein the additive composition is suitable for use in a transmission employing one or more of a slipping torque converter, lock-up torque converter, a starting clutch, and one or more shifting clutches.

31. (Currently Amended) A power transmitting fluid additive composition as described in claim 30, wherein the additive composition is suitable for use in a belt, chain, or disk~~[[type]]~~ continuously variable transmission.

32. (Currently Amended) A power transmitting fluid comprising:

a) a base oil; and

b) an additive composition comprising:

a dispersant;

an antioxidant;

an anti-foam agent, wherein the anti-foam agent comprises about

0.01 to about 1.0 wt.% of the power transmitting fluid; and

a ~~[[dihydrocarbyl]]~~ dioleyl hydrogen phosphite.

33. (Original) A power transmitting fluid as described in claim 32, wherein the dispersant comprises about 0.1 to about 10 wt.% of the power transmitting fluid.

34. (Original) A power transmitting fluid as described in claim 32, wherein the antioxidant comprises about 0.1 to about 3.0 wt.% of the power transmitting fluid.

35. (Cancelled)

36. (Currently Amended) A power transmitting fluid as described in claim 32, wherein the ~~[[dihydrocarbyl]]~~ dioleyl hydrogen phosphite comprises about 0.01 to about 10 wt.% of the power transmitting fluid.

37. (Original) A power transmitting fluid as described in claim 32, wherein the additive composition further comprises one or more of a sulfur-based extreme pressure additive, a friction modifier, an anti-rust package, a viscosity index improver, a detergent, and a diluent oil.

38. (Cancelled)

39. (Cancelled)

40. (Original) A power transmitting fluid as described in claim 32, wherein the fluid is suitable for use in a transmission employing one or more of a slipping torque converter, a lock-up torque converter, a starting clutch, and one or more shifting clutches.

41. (Currently Amended) A power transmitting fluid as described in claim 40, wherein the fluid is suitable for use in a belt, chain, or disk~~[[type]]~~ continuously variable transmission.